

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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In re:  
Lucinda M. Broecker

Debtor.

Chapter 13 No. GK-11-00386

Hon. James D. Gregg

**STIPULATION VACATING THE AUTOMATIC STAY AND CO-DEBTOR STAY  
AS TO CHASE HOME FINANCE LLC AND WAIVING THE PROVISION OF  
FRBP 4001(a)(3)**

NOW COMES Creditor, Chase Home Finance LLC, by and through its attorneys, Trott & Trott, P.C., with respect to the property located at 107 E Broadwell St, Albion, MI 49224-1123, along with the Trustee of Record, Brett N. Rodgers, and the Debtor(s), Lucinda M. Broecker, by and through their attorney, Guy T. Conti, and the parties having agreed to vacate the automatic stay;

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. The Automatic Stay and Co-Debtor Stay, as to the Creditor, Chase Home Finance LLC, shall be vacated;
2. That the Order shall be effective immediately upon entry by this Court notwithstanding the provision of FRBP 4001(a)(3).
3. That any surplus on the sale of this property shall be distributed pursuant to applicable state law and procedures.
4. That the Order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Bankruptcy Code. In the event Creditor deems the property is physically abandoned by the debtor(s)/homeowner(s), or by consent of the debtor(s) / homeowner(s), Creditor may also seek to shorten the Michigan post foreclosure statutory redemption period. A Chapter 7 Trustee may have the same rights and defenses as Debtor should Creditor seek to shorten

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the redemption period.

5. Any Order vacating the automatic stay and the co-debtor stay entered pursuant to this resolution shall allow Movant, at its option, to offer, provide and enter into any potential forbearance agreement, loan modification, refinance agreement or other loan workout/loss mitigation agreement. The Movant may contact the Debtor via telephone or written correspondence to offer such an agreement. Any such agreement shall be non-recourse unless included in a reaffirmation agreement.

Stipulated and agreed:

/S/ James W. Batchelor (P25500)  
/S/ Courtney Roberts (P64717)  
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In re: Lucinda M. Broecker  
Case #: 11-00386  
Trott #: 361110B01

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In re: Lucinda M. Brasciar  
Case #: 11-00386  
Trust #: 361110301